

**UNITED STATES DISTRICT COURT
WESTERN DISTRICT OF LOUISIANA
MONROE DIVISION**

LEVON L. JENNINGS

CIVIL ACTION NO. 19-1525

VS.

SECTION P

JUDGE TERRY A. DOUGHTY

DUANE COOKSON, ET AL.

MAG. JUDGE KAREN L. HAYES

JUDGMENT

The Report and Recommendation [Doc. No. 6] of the Magistrate Judge having been considered, no objections thereto having been filed, and finding that same is supported by the law and the record in this matter,

IT IS ORDERED, ADJUDGED, AND DECREED that Plaintiff Levon L. Jennings' false-arrest claim, perjury claim, and defamation claim against Defendant Duane Cookson are **STAYED** under the following conditions:

- a. If Plaintiff intends to proceed with these claims, he must, within thirty (30) days of the date the criminal proceedings against him conclude, file a motion to lift the stay;
- b. If the stay is lifted and the Court finds that Plaintiff's claims would impugn the validity of his conviction, the action will be dismissed under *Heck*; if no such finding is made, the action will proceed absent some other bar to suit;
- c. Plaintiff should not file any more documents concerning these particular claims in this action until the state court proceedings conclude; and
- d. Defendant shall not be required to answer these particular claims during the stay, and Plaintiff may not seek a default judgment or conduct any discovery during the stay.

IT IS FURTHER ORDERED, ADJUDGED, AND DECREED that Plaintiff's claims against Assistant District Attorney Farshian Charlotte and Judge Stephens Winters are

DISMISSED WITH PREJUDICE as frivolous, for failing to state claims on which relief may be granted, and for seeking monetary relief against defendants immune from such relief.

IT IS FURTHER ORDERED, ADJUDGED, AND DECREED that Plaintiff's request to dismiss his charge is **DISMISSED WITHOUT PREJUDICE** to Plaintiff's right to pursue habeas corpus relief after he exhausts all available state-court remedies.

MONROE, LOUISIANA, this 10th day of February, 2020.



TERRY A. DOUGHTY
UNITED STATES DISTRICT JUDGE